



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, January 24, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:09 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Jennifer Ator
Councilman Bob Best
Councilman Dan Espino
Councilman George V. Lob

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Finance Director William Alonso
Public Works Director Robert T. Williams
Recreation Director Omar L. Luna
City Clerk Magalí Valls

2. Invocation: Mayor Bain offered the invocation.

Salute to the Flag: The audience participated.

*Councilman Espino came in at this time.

3. Awards & Presentations:

3A) Chamber Report on Art Show and Ideas for 85th Birthday Celebration at the Springs River Festival

Donna Wood-Beney of 3971 N. W. 65 Avenue, Virginia Gardens, thanked Council and the Administration for helping the Chamber of Commerce to create the wonderful art show event. She presented an accounting sheet of the funds that were spent, a list of artists that participated and the organizations and art supply stores who helped to market the event.

Ms. Wood-Beney explained that the event came in under budget and she presented a check to reimburse the City in the amount of \$169.72. She added that it was a lovely event, many artists sold pieces of their work and did very well, and everyone expressed a desire to hold the event several times a year.

Ms. Wood-Beney announced that the Chamber of Commerce and Springs River Festival Committee would like to celebrate the City's 85th Birthday on Friday, April 8th during the festival. She presented the proposed budget for the birthday celebration. The theme for the event is "Yesterday, Hay Day and Tomorrow", dividing the night into three sections. The first segment would focus on the 1920's, with Mr. and Mrs. Glenn Curtiss, Julia Tuttle, Mr. Bright and Mr. Collins walking around asking history questions.

Mayor Bain suggested scheduling an agenda item for consideration at the next meeting.

Councilman Espino said that he appreciated the initiative of Donna Wood-Beney and the Springs River Festival Committee, but this should be a City-sponsored event. He would like the City to take the role and have both the Springs River Festival and the Chamber of Commerce be prime sponsors and partners in developing it. He asked how the City had handled previous birthday celebrations.

City Manager Borgmann responded that a committee was formed to celebrate the City's 75th Birthday with the help of former Parks and Recreation Director Alan Ricke.

Councilman Espino suggested that a committee could be formed, including a representative from the Chamber, the Springs River Festival and a liaison from the City to organize a good celebration.

Vice Mayor Ator appreciated Ms. Wood-Beney taking the initiative. She had previously expressed her desire for the City to get more involved in these types of events and not just the Chamber taking the lead. She would hope that the event would be coordinated through the Recreation Department and would ask the Assistant City Manager to appoint someone who would meet with Ms. Wood-Beney within the next two weeks. She added that Ralph Wakefield and the Pelican Playhouse have costumes and Mr. Wakefield's expertise might be helpful.

Councilman Best added that Dee Piquette would be the contact person for the Pelican Playhouse and Councilman Espino said that Curtiss Mansion, Inc. has costumes for Glenn Curtiss.

Ms. Wood-Beney informed Council that the costumes for Glenn Curtiss were lost at the dry cleaners. She said that Glenn Curtiss never wore a flight suit because he flew in a regular suit.

Vice Mayor Ator mentioned that Captain Barrington Irving and the STEM Academy would totally play into the “Yesterday, Hay Day and Tomorrow”.

Ms. Wood-Beney assured Council that their intention was not to exclude the City from the plans. She said that a member of the Woman’s Club and CMI have agreed to participate, with input from all the service organizations.

Councilman Lob would like the City to sponsor the 85th Birthday Celebration, which should be done every five years.

Councilman Espino asked how everyone else felt about holding the celebration on Friday, April 8th.

Councilman Best asked how the event would interfere with the entertainment that the Springs River Festival has scheduled for that night.

Ms. Wood-Beney explained that the Springs River Festival Committee had been very generous by giving up their Friday night of the festival to the Birthday Celebration, since they would be paying for the lighting and sound that would already be in place that weekend.

Council agreed to schedule an agenda item for the next meeting.

3B) Presentation by Carmen Rivera Regarding the “Take Stock in Children” Program

City Manager James R. Borgmann explained that the Community Policing Office has begun the process of working with the “Take Stock in Children” program and asked Chief of Police Peter Baan to comment on the program.

Chief of Police Baan stated that the Miami Springs Police Department looked into the possibility of bringing the “Take Stock in Children” program to Miami Springs and met with Carmen Rivera to get the details. He introduced Carmen Rivera and Tom Albano from the “Take Stock in Children” program.

Tom Albano thanked Council for their time and passed out a presentation that briefly highlights the aspects of “Take Stock in Children”. He explained that they are looking for possible ways to partner with the City of Miami Springs to work with the students in the Miami Springs’ schools.

Mr. Albano stated that the program had been in existence since 1995, it is part of Miami-Dade College and it is partially funded by the State Legislature and partially by private sources.

Mr. Albano said that the purpose of “Take Stock in Children” is to target students who are at risk of dropping out of high school, with a focus on middle school students who are minorities at poverty level from single parent families who have never graduated from high school or college.

Mr. Albano said that when middle school students are recruited they are assigned a volunteer mentor who visits the school site to meet with the student for approximately one-half hour each week. The mentors work on various things, depending on the student, to provide guidance and support. In addition to the mentor, the students are provided with an advocate who is employed by the college. The students are also required to attend workshops at Miami-Dade College every other month on a Saturday with their parents, according to Mr. Albano. The workshops focus on goal setting, college preparation, financial aid and other topics to prepare them for college. When the students graduate from high school they receive a four-year tuition scholarship through the Florida Prepaid Tuition Scholarship program. One of the advantages that “Take Stock in Children” has is that they can purchase the scholarship for half the price and the State matches the cost for the other half. The program also provides college placement and college retention services to make sure the students get a college degree.

Mr. Albano explained that the idea of the program is to help break the cycle of poverty in Miami-Dade County by ensuring that the students receive a college degree. He said that 92% of the students in the program had graduated from high school and 88% went on to college with 59% graduating in four years. There are currently 500 students in the program and 538 are in college, with 175 alumni who received degrees.

Mr. Albano said that the mentor component is one thing that makes the program successful. Mentors come from all walks of life and different careers, which is part of the intervention that really works. They are a constant in the student’s life each week and sometimes the students do not have that support at home. There are currently fifty students in the program in Miami Springs Senior and Miami Senior High schools. The reserve unit that was assigned to Miami Springs Senior High was deployed so there are thirty students without mentors.

Mr. Albano asked for assistance from City employees that fit the criteria for mentors who would commit to spending one-half hour per week at the school site. Sometimes there are special events or outings, but the program is designed to fit the schedule of the mentor and the student. He mentioned that the City of Hialeah also has a program called “Hialeah Scholars” and they purchase four scholarships per year for students who are residents of the City and attend school in Hialeah. He provided a copy of an agreement that they have with Hialeah.

In reply to Councilman Lob’s question, Mr. Albano responded that Miami-Dade College owns the scholarship and the student could use the scholarship anywhere within the State of Florida, if they move. If they move outside the state the scholarship still remains with the college and it can be reassigned to another student. The State of Florida has criteria to be able to match the scholarship, which is that the student must remain crime free, drug free and maintain a minimum 2.0 grade point average. If the student loses the scholarship, the program still owns it and it can be assigned to another student.

Vice Mayor Ator commented that Council has already voted to allow time for employees to participate in the program and she met with a “Take Stock in Children” representative. She would like to know where the City stands in the process.

City Manager Borgmann agreed that Council had approved release time for employees. He said that it would be a good time to explain the qualifications for being a mentor.

Mr. Albano said that the mentors must follow the policies and procedures for volunteers in the Miami-Dade County Public Schools. All mentors complete a pre-application and are matched with a student. The volunteer goes to Miami-Dade County Public Schools for finger-printing and clearance; once they are cleared they receive mentor training on the mechanics of mentoring.

To answer Vice Mayor Ator’s question, City Manager Borgmann responded that the Police Department is going forward with the rest of Staff in City Hall to present the program and outline the qualification process for mentors that will be assigned to Miami Springs Middle or Senior High.

Vice Mayor Ator was told that there are people who co-mentor the same student and that flexibility is available if there was a situation when one person could not attend.

Mr. Albano explained that he is a mentor and his schedule does not allow him to be with the student each week. There is communication through text messaging, which is a way of staying in touch with the student. The rules are flexible and in some cases there are two people in an office who are co-mentors that alternate visits with the students. The idea of the program is that it is an intervention program for at risk students and that intervention is the mentoring and the advocacy. The student has the feeling that someone is looking out for them and can answer questions they do not have answers for.

To answer Councilman Best’s question, Mr. Albano clarified that there are approximately thirty students at Miami Springs Senior High that are in need of mentors.

Carmen Rivera from “Take Stock in Children” explained that she is also a mentor and as long as the mentor meets with the student twice a month it makes a big difference. There is more flexibility and the program also allows for a co-mentor. She really appreciates the City’s interest in the program because it is very dear to their hearts.

City Manager Borgmann announced that anyone interested in volunteering should contact the Community Policing Office.

Chief of Police Baan explained that Sergeant John Mulla in the Community Policing Office is the contact person for anyone interested in participating in the program and they will be advertising within the City to attract the mentors that are needed.

Vice Mayor Ator said that not all the students would be residents, but clearly the education of our own children depends on the atmosphere in the schools and this program is important in that aspect.

Mayor Bain asked if the mentor is provided with the background on the student.

Mr. Albano said that the students are required to fill out forms indicating their likes and dislikes, which is matched to the mentor.

Ms. Rivera added that there is also a meeting between the mentor, the family and the child.

3C) Presentation of the City's 2010 Comprehensive Annual Financial Report by External Auditors Alberni Caballero LLC

Nestor Caballero of Alberni Caballero and Company introduced Christopher Chiocca who was the Engagement Director for the Audit. He thanked Finance Director Alonso, Comptroller Alicia Gonzalez and Staff for their work and dedication that allowed the presentation of the report on time. He also thanked Mayor Bain for his confidence in their company for the last six years.

Mr. Caballero stated that this year they have an unqualified clean opinion of the audited financial statements. There were not many adjustments to the numbers that were presented on a quarterly basis. The graph on page eighteen of the report shows how far the City has come over the last ten years since 2002, when the unreserved fund balance of the General Fund was at a negative position. The unreserved fund balance is unrestricted cash and the balance has grown each year until 2010, which shows a slight decrease due to the recession and decrease in property values. The City is in a good position with a very healthy unreserved fund balance.

Mr. Caballero explained that the graph on page nineteen shows the millage rate for the last ten years and the decrease from last year to this year. The Statement of Net Assets is shown on page twenty for governmental activities, which are full accrual, and the business type activities. For the year, total assets were \$39MM compared to \$37.3MM in the prior year. The increase of \$2MM is the net result of the construction of the Community Center and the Golf Course irrigation system that were added to the capital assets and decreases in restricted cash that is reflected in the unreserved fund balance. Total liabilities decreased from \$9.8MM to \$9.1MM, as a result of the pay-off of accounts payables from last year to this year. Total net assets are \$29MM, which is an increase from the prior year.

Mr. Caballero noted that the income statement for the City is shown on page twenty-one and governmental activities shows a change in net assets of \$2.3MM, which is an increase in net assets, since this is full accrual. The City received capital grants and contributions of \$4.1MM to offset the costs, and the \$2MM really reflects \$4MM of grants that were capitalized.

Page twenty-two contains the balance sheet of the governmental funds, which is the budget for the year for the General Fund, Road and Transportation Fund, Hurricane Fund, Golf & Country Club, Capital Projects, and Other Governmental Funds, according to Mr. Caballero. The General Fund reflects a decrease in cash and unassigned fund balance of \$2MM that is a result of this year's operation. The Capital Projects Fund also had a decrease; this is a fund that was created for the Community Center so the assets and the liabilities decreased and next year the fund will be closed unless there are other major projects to account for in the fund.

Mr. Caballero referred to the income statement on page twenty-four, which shows where the decrease in the unreserved fund balance came from in the General Fund. Revenues were \$11.6MM compared to \$12.2MM for the prior year, or a decrease of approximately \$600,000 mainly due to the decrease in the millage rate and property values. Property taxes decreased by \$900,000, which was offset by increases in building permit fees.

Mr. Caballero said that expenditures increased from \$11.5MM to \$12MM due to the increase in operations and salaries for the Community Center. Overall, the General Fund has a deficiency of revenue over expenditures of \$346,000. Transfers in total \$357,000 from the sanitation fund and the stormwater fund for services that the General Fund provided. In reality, the General Fund broke even, except for the transfers of \$1MM to the Golf & Country Club to cover the irrigation system and capital outlay, plus \$500,000 to cover the loss in operations. Another \$130,000 was transferred to the Senior Center fund and another \$300,000 to the debt service fund. That is the loss for the year and the decrease in the unreserved fund balance. The budget accounted for transfers of \$3.1MM so it was not a surprise.

Other Governmental Funds shows a large principal payment of \$2.9MM and issuance of debt totaling \$2.4MM due to the refinancing of the debt for the year and the savings for future economic gains with a lower interest rate, according to Mr. Caballero.

Mr. Caballero recommended that Council read the Management Discussion Analysis beginning on page three, which is a summary comparison of last year versus this year. Page fifty-four and fifty-five shows budget versus actual. The net change in fund balance shows a loss of \$2.1MM, while \$3.1MM was budgeted. There were some cost savings compared to the amount that was budgeted and some projects that were delayed to future years.

Councilman Espino noted that there were savings from deferred projects. Page fifteen indicates that there were lower than budgeted expenditures in Recreation of \$513,406 due to budgeted capital expenditures that were deferred to future years. He would like an explanation for those capital expenditures.

Finance Director Alonso explained that deferred expenditures included \$275,000 for the skateboard park and \$200,000 for commercial redevelopment. Last year \$495,000 was needed from the fund balance in order to balance the budget and it was going to be taken from the savings this year.

Mr. Caballero commented that the City passed a resolution requiring a 25% reserve of the fund balance and there is another \$3MM above that amount. He mentioned that the two pension plans are fully funded, which is not seen very often in this economy.

Councilman Espino referred to the savings that occurred in general government of \$258,229, public safety of \$327,780 and public works of \$457,336. He asked how these savings are identified.

Finance Director Alonso responded that the amounts were budget savings within the various departments. For example, Council's budget was \$150,160 and only \$103,584 was spent. He also used the City Clerk's budget as an example because it included funds that were not spent for code review. He offered to provide a list showing the savings for deferred capital expenses and operating expenses.

Mr. Caballero referred to the statistical section of the report showing ten years of data. The Independent Auditors' Report begins on page eighty-five and shows that there is a clean opinion with no findings. This is a test for internal controls, compliance with major laws and internal procedures.

Mr. Caballero explained that the Management Letter required by Section 10.550 of the Rules of the Auditor General is a financial condition assessment and the result was favorable; the city is not in a deteriorating financial condition. They verified and confirmed a favorable overall rating on the financial condition assessment.

The last report is on the federal single audit act for major federal awards, mainly transportation funds under the stimulus funds and the Safe Neighborhood Parks programs and miscellaneous grants for Community Center, Curtiss Mansion and lighting, according to Mr. Caballero. There were no findings to report on the federal expenditures.

Councilman Best asked how the favorable rating and the balance in the unrestricted cash reserve would affect the City's credit rating.

Assistant City Manager Gorland responded that the City no longer has the bonds and will not receive a credit rating.

Finance Director Alonso explained that the General Obligation bonds were refinanced in December and the City does not have to go through the annual credit rating process. The City has healthy reserves, but the future is unknown in regard to the decline in property values; even though the pension plans are fully funded it is unknown how they will be impacted during the coming year.

Vice Mayor Ator referred to the \$2MM, explaining that funds were put aside for the projects that were completed with those funds.

Mr. Alonso said that looking at the past three years, the fund balance increased by \$3MM or \$4MM and as he mentioned before, the fund balance cannot continue to grow; there must be a certain plan for the funds. Part of the plan is for emergency reserves of 25%, but consideration must be given to the infrastructure that is needed for the future. In this case, \$2MM was used, which is deceptive because \$1.1MM was used for the irrigation system; another \$760,000 was used for the tax cut, which is the \$2MM. People say that the reserve was reduced by \$2MM, but it was a budgeted use of those reserves.

Councilman Espino said that additional revenue was previously used to offset taxes, but he finds the current condition is perhaps a prolonged one. Some of the challenges include Golf Course losses that are separate from the \$1.1MM invested for the irrigation system. The shortfall falls upon the residents because they have to pay for it. He asked if there is any negative rating because the Golf Course had experienced a loss for so many years.

Mr. Caballero said that the Golf Course was previously an enterprise fund that never broke even and it became a governmental fund because it did not meet the definition of an enterprise fund. He explained that the Golf Course continues to be a major drain on the City's finances.

Vice Mayor Ator said that she would like for the Golf Course to break even, but Council is committed to pay for the operation, which is similar to subsidizing recreation.

Councilman Espino commented that the undesignated fund balance was used to lower the millage rate.

Mayor Bain explained that the funds that were used to lower the millage rate were a result of the transfer of the water and sewer system. His theory was that those funds belonged to the residents and should be returned to them.

Councilman Espino felt that there are long standing issues, like the Golf Course losses and expenditures and pensions that are going to be with the City for a long time. He wants to continue to look for long-term solutions and does not want the undesignated fund balance to take a huge hit as the City continues to address projects needed in the future.

City Manager Borgmann explained that there had been discussions about the future of pensions, health insurance and streamlining the Golf Course operation in order to realize some savings. He added that inquiries had been made with companies that perform studies on these issues.

Councilman Lob stated that part of the Golf Course losses are due to the economy, which might not improve any time soon and there must be a means to compensate for that. The irrigation system will help to improve the Golf Course, which is a step in the right direction and there was also discussion about joining the Premier Card program.

Councilman Espino asked if there was any reason for concern that some of the indicators were unfavorable.

Mr. Caballero explained that the two parts are trend information and benchmark information. Each indicator is rated according to the Auditor General requirements and as auditors, they must report either favorable or unfavorable and also if there is a deteriorating financial condition noted. This is reported to the Attorney General as a finding and it must include recommendations for improvement, which happened in 2002, 2003 and 2004. He explained that 90% are inconclusive, for example, the benchmark would have to be over 60% one way or the other.

Finance Director Alonso noted that the first indicator is unreserved fund balance. The trend is based on the chart showing the numbers for the last five years and it is favorable because it has been going up. The benchmark compares the City with other cities of similar size in the state and the average fund balance for all the cities is \$5.5MM, while the City of Miami Springs has \$6.4MM. This is 18% higher than the average, but because the Auditor General says the indicator is not 60% it must be marked as inconclusive.

The first three indicators are the critical indicators and if two of the three are unfavorable it could throw off the entire rating, according to Mr. Caballero. He recommended looking at the trend information and the benchmark to see the comparison with other cities of similar size.

Mr. Caballero said that auditors must report whether or not the City is in a favorable financial condition. An unfavorable condition means that there has been a steady decline in the unreserved fund balance for more than three years.

4. Open Forum:

Prayer of the Candidates

Michael Gavila of 684 Morningside Drive stated that Poinciana United Methodist Church is hosting the Prayer of the Candidates on Friday, March 25th at 7:00 p.m. and all candidates are invited.

5. Approval of Council Minutes:

5A) 01/11/2011 – Regular Meeting

Minutes of the January 11, 2011 Regular Meeting were approved as written.

Councilman Best moved the item. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 01/05/2011 – Architectural Review Board – Minutes

Minutes of the January 5, 2011 Architectural Review Board meeting were received for information without comment.

6B) 01/12/2011 – Recreation Commission – Minutes

Minutes of the January 12, 2011 Recreation Commission meeting were received for information.

Mayor Bain asked if the Recreation Commission needed more information about the “Wall of Fame”. He wanted the Memorial Committee to give their criteria of how they select someone for a memorial.

Assistant City Manager Gorland responded that the Commission needs to get together. He clarified that the City Clerk had provided the information to the Recreation Commission.

City Clerk Magalí Valls verified that the information was sent to the Recreation Commission members immediately after the Council meeting and she also sent it a second time.

6C) 01/13/2011 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the January 13, 2011 Board of Parks and Parkways meeting was received for information without comment.

6D) 01/20/2011 – Historic Preservation Board – Cancellation Notice

Cancellation Notice of the January 20, 2011 Historic Preservation Board meeting was received for information without comment.

6E) 02/07/2011 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the February 7, 2011 Zoning and Planning Board meeting was received for information without comment.

7. Public Hearings:

None.

8. Consent Agenda: (approved with one motion)

8A) Recommendation that Council Approve a Bid to Alan Jay Toyota, Scion, Utilizing Florida Sheriffs Association Bid Award Announcement #10-18-0907 in the Amount of \$51,852.00, Pursuant to Section 31.11 (E) (5) of the City Code and \$741.10 to Communications International, Inc., as Provided in Section 31.11 (C) (1) of the City Code to Purchase Two New Toyota Prius Hybrid Sedans, to be Paid from the Law Enforcement Trust Fund Account

City Manager James R. Borgmann read the titles of the awards.

There was no discussion regarding this item.

Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion, which carried 5-0 on roll call vote.

8B) Recommendation that Council Award a Bid to Quality Paving Corp., Utilizing Miami-Dade County Contract CICC7040-0/07, in the Amount of \$31,853.37, Pursuant to Section 31.11 (E) (5) of the City Code for Additional Sidewalk Work

There was no discussion regarding this item.

Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion, which carried 5-0 on roll call vote.

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

Councilman Lob (Group III) **re-appointed** Richard Barnes to the Disability Advisory Board for a full 3-year term ending on December 31, 2013.

9B) Recommendation to Sell Decorative Bricks in Support of our Youth Recreation Programs

City Manager Borgmann stated that the Administration would like to keep Council updated with the progress of the project.

Parks and Recreation Director Luna reported that three brick colors were selected. He distributed photographs showing the location of the brick installation and the “MS” design. The person purchasing the bricks can select a certain brick by the number and specify how they want it engraved. The area will hold a total of 450 bricks and the MS design will be centrally located within the area.

To answer the Mayor's question, Mr. Luna stated that March 1st is the targeted date for the start of the brick sale. The MS design will be a solid color and the colors of the surrounding bricks will be varied. He explained that the 4 x 8" bricks are \$75.00 and the 8 x 8" bricks are \$150.00, including the etching.

Council **authorized** the Administration to move forward with the decorative brick sale project at the Community Center, which will start on March 1, 2011.

9C) Recommendation for Approval of a Change Order in the Amount of \$5,130.00 to Superior Park Systems P. O. #110449 Previously Approved by Council, for a Revised Total Stafford Park Fencing Cost of \$36,742.20

City Manager Borgmann stated that this recommendation is for approval of a change order in the amount of \$5,130.00 to Superior Park Systems, for a revised total Stafford Park fencing cost of \$36,742.20. The Administration feels that the new youth soccer field at the south end of the park should also be enclosed and this is the reason for the additional expense.

Councilman Espino mentioned that Council had not received a final report on the addition of the soccer field.

Recreation Director Luna stated that he spoke with two companies and is waiting for quotes to re-sod the space with Bermuda grass. The space is adequate, but the lighting is more complicated.

Mayor Bain explained that the fencing is necessary to control the use of the field and if lighting is not possible, the field will have to be used during the day.

Discussion ensued regarding the lighting possibilities.

Councilman Espino asked if LED lights had been considered since they have less of a draw on the electrical system.

Mr. Luna assured Council that he would look into energy efficient lighting.

Councilman Espino moved to approve the change order. Councilman Best seconded the motion which was carried 5-0 on voice vote.

9D) Adopt-a-Park Plan

City Manager Borgmann stated that all the documents and forms were provided that are necessary to institute an Adopt-a-Park program in the City.

The City Manager said that the next step would be to begin an advertising campaign to kick-off the program in the spring with additional activities to be scheduled in conjunction with the Springs River Festival and the Arbor Day celebration.

City Manager Borgmann said that Miami-Dade County also has a plan in conjunction with their Parks staff, which is different in Miami Springs because the Golf Course provides ball field maintenance. He believes that the program from the City of North Port could be easily adopted in Miami Springs.

City Attorney Seiden stated that boundaries must be set to outline what the City wants people to do because some activities go beyond that scope.

Mayor Bain suggested calling Bob Schwinger who offered to take care of the Butterfly Park and ask him how he wants to fulfill his obligations. The program could be based on his suggestions.

City Attorney Seiden stated that the State of Florida has new regulations, which he has not had time to review. Since parks are places where children and families play, anyone who volunteers must be fingerprinted and screened. Under the direction of Public Works, the City could hold a series of projects at various parks and anyone who wants to participate can do so. He suggested that Public Works Director Robert Williams could review the information from the County and come up with something that would be less complex.

Vice Mayor Ator was under the impression that when Mr. Schwinger suggested the program it was because he wanted to make a monetary donation.

Mayor Bain also thought that Mr. Schwinger's idea was to donate funds for the parks. He reiterated that a call could be made to him to find out what he wanted to do.

City Attorney Seiden added that the Parks and Recreation Department, in conjunction with the Public Works Department, could make a wish list of items they want for the parks.

The item was tabled pending more information.

9E) Special Events Funding and Applications

City Manager Borgmann stated that at the last meeting the various aspects of the process of holding special events by outside groups and organizations was discussed. Specific to the discussion was a process to evaluate and award money to those organizations to ensure a successful event with the focus on attracting visitors to the Downtown area.

The City Manager presented a narrative and forms for consideration. He explained that the packet would serve as the new Special Events Permit Application.

City Manager Borgmann said that the City Attorney has also suggested changes to the existing forms as outlined in his memorandum. Most changes involve fees and insurance requirements and once they are made and any others recommended he will formalize the packet and make it available. It would also be helpful to mail a packet to every group or event organizer that the City has worked with in the past to make them aware of the change and process for the funding requests.

City Manager Borgmann explained that his narrative outlines the funding cycles and deadlines, a budget, as well as the financial report after the event, insurance requirements, clean up, etc. Currently there is a minimal refundable deposit of \$100.00, but larger multi-day events might require a larger deposit or sliding scale based on the event.

City Attorney Seiden said that the fees and insurance would depend on the type of the event. Everything should be as flexible as possible and the City Manager could make a determination of what is needed for the permit.

Vice Mayor Ator stated that the deadline for cycle 2 is February 15th and it runs March 1st through September 30th. She suggested changing the deadline to January 31st.

Mayor Bain asked if the event organizer would first come to Council to present their idea before going through the application process as suggested at the last meeting.

Councilman Best agreed that it would save a lot of time for the Administration if the organizers make a short presentation to Council first.

Mayor Bain added that the decision will be based on the cost of the event.

Councilman Espino moved to approve the special events and funding application, as amended, with the condition that the proposal comes to Council first in the short form before it is sent to the City Manager for further evaluation. Councilman Best seconded the motion which was carried 5-0 on voice vote.

9F) Historic Designation Packet as Requested by Council

City Attorney Jan K. Seiden stated that Council requested a copy of the historic designation packet. He referred to the check list and the initial letter. He has no problem with the letter as long as the impact of designation information is included. He also checked with the City Clerk to make sure that the ordinance that was previously amended was sent for codification.

City Clerk Valls explained that she was waiting to send the ordinance for codification because she usually sends five or six together, which she is in the process of doing now.

City Attorney Seiden said that it does not mean that the ordinance is not valid; it is not in the Code book yet.

Councilman Espino suggested that their letter could reference the memorandum and secondly at no point does it ask for the resident to solicit their opinion about the matter. He would like to add one sentence asking for a recommendation from the homeowner.

City Attorney Seiden agreed that a sentence could be added to say that the homeowner has the opportunity to voice their comments.

To answer Vice Mayor Ator's question, City Attorney Seiden said that a moratorium is required by the Code.

The City Attorney will make the suggested changes to the letter.

10. New Business:

10A) Discussion Regarding Recommendations from the Architectural Review Board

City Manager Borgmann stated that he likes the Architectural Review Board that consists of very nice, talented people. It must be made clear that just because they are called the Architectural Review Board it does not mean that they function like Architectural Review Boards that exist in other cities. The Architectural Review Board in the City of Coral Gables is made up 100% of in-house professionals that is similar to the City of Miami Springs' Board of Adjustment.

City Attorney Seiden explained that he knows the history because he worked with the original iteration of the Architectural Review Board, which what is being proposed now, which was repealed into an advisory board format. If the Architectural Review Board wants to perform more tasks, Council can designate those tasks.

The development review procedure components, as proposed by Calvin, Giordano & Associates, would be up to Council as a policy decision, according to Attorney Seiden. Council could include the Architectural Review Board, but the board would have to be reconstituted and there must be a guarantee that it would consist of professionals, not citizens. They would be involved in the process of denying property rights and reviewing property related matters that would create a liability for the City.

City Attorney Seiden explained that in his private law practice he and developers had gone to the City of Miami who has a department that evaluates plans, which is fine. If this is something Council wants it could be created, but that is not what exists now. He agrees with Councilman Espino that in the very beginning, as Council is dealing with design concepts and architectural styles, it might be helpful to have a preliminary review in order to get to the second step, which is the plan submittal to the City. This should be done by professionals, because sometimes the developers leave the review process happy and other times not, because the respective city seems to be stamping on their property rights, which could lead to appellate proceedings.

City Attorney Seiden reiterated that it would be fine for the Architectural Review Board to do more, but not in this function.

Vice Mayor Ator said that the Architectural Review Board minutes indicate that they would like to be more like the Board of Adjustment and be recognized as professionals in their field of architecture. She has conveyed to them that their work is valued and they are appreciated. She feels that the joint meeting with the Ad-Hoc Committee and the Architectural Review Board would be helpful.

Mayor Bain suggested waiting to see how the joint meeting goes on February 2nd. He said that they are members appointed by Council and some comments were helpful, while others were not appreciated. He knows that everyone has knowledge in different fields, but he would suggest a practical approach in order to get things done, while others might take an artistic approach.

Mayor Bain stated that the Revitalization and Redevelopment Ad-Hoc Committee and the Architectural Review Board will review Calvin, Giordano's report on the N. W. 36th Street District and give feedback or suggestions to Council.

Councilman Lob agreed with Mayor Bain that N. W. 36th Street is not a large area and once it is developed there is nothing else to be done with it.

Mayor Bain said that he liked the comment made earlier by Ad-Hoc Committee member Todd Stiff who said that the first building that is built would set the example for future development.

Councilman Espino explained that the process is not that simple; it is complicated because there are parcels that might be demolished and others that could be salvaged. He does not have a problem with delegating more duties to the Architectural Review Board because they have been productive.

Councilman Best stated that the advisory boards must follow the duties and responsibilities set forth in the ordinances. A board member cannot review design plans and proposals for buildings; this is clearly not a function of the Architectural Review Board.

Councilman Espino reiterated that some additional duties might be appropriate for the Architectural Review Board, although it would not be to the same level that they want. There could be a component comprised of different groups within the City that could facilitate development moving forward at a quick pace, once everyone is on the same page.

City Attorney Seiden explained that the Board of Adjustment deals with granting variances that are minor variations in the Code; they do not consider design criteria for major buildings. He agrees that there could be involvement at the top of the review process, similar to how the City's consulting engineers now serve at the bottom of the process. Once development begins with one or two projects, then the additional review might not be needed as much.

Councilman Espino commented that other cities have an autonomous board that attempt to marshal projects and bring resources together.

Mayor Bain felt that the N. W. 36th Street corridor would be different than large scale development in other cities because it is an area that only extends a few miles. He said that it is important to set the standards before the economy turns around and it is important to streamline the process for developers.

Councilman Espino emphasized that the City of Miami Springs is embarking on a new area and can learn from cities that have undergone new development.

City Attorney Seiden encouraged Council to look through the incentives that were presented by the Consultants Calvin, Giordano, as they are very well done, but some could be more restrictive.

Mayor Bain explained that all comments and opinions must be expressed at the dais due to the Sunshine Law. He said that sometimes it is hard to govern under these circumstances.

No action was taken regarding this item.

10B) Update to Proposed Fund Balance Designations

Finance Director William Alonso stated that this is the annual process once the final numbers are presented by the auditors, which did not change from his last report. He asked Council to review the amounts and the purposes that are designated to see if they want to make any changes.

Councilman Espino said that the expenses for the Community Center software and the gym flooring were to come from the contingency for the project.

Finance Director Alonso confirmed that Councilman Espino was correct; the funds for the software and the flooring came from the contingency fund. He added that the flooring expense was in the budget last fiscal year.

Councilman Espino asked if \$100,000 for the Canal Street Linear Park was undesignated in the previous budget.

Finance Director Alonso explained that \$100,000 still remains designated for the Linear Park on Canal Street.

Councilman Best moved to approve the fund balance designations. Councilman Lob seconded the motion which was carried 5-0 on voice vote.

10C) Resolution No. 2011-3503 - A Resolution of the City Council of the City of Miami Springs Providing for the Second Amendment to the City's Fiscal Year 2010-2011 Budget; Increasing the Capital Projects Budget of the City's Special Revenue and Capital Projects Fund to Account for Expected GOB Grant Funding from Miami-Dade County and for City Council Authorized Transfers from the General Fund; Authorizing Transfers Within the General Fund to the General Government and Recreation and Culture Budgets; Increasing the Stormwater Operations Budget within the City's Enterprise Fund from Fund Reserves; Declaring the Intent of the Budget Amendments; Specifying Compliance with Budgetary Processes and Procedures; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Attorney Seiden stated that the descriptions are shown on the attached Exhibit to the resolution and explained as items one through six in the legend at the bottom.

Councilman Best moved to adopt resolution 2011-3503. Councilman Espino seconded the motion which was carried 4-0 with Councilwoman Ator absent at roll call.

10D) Scheduling of Town Hall Meeting to Discuss Downtown Improvements in the Sosa Theater

Mayor Bain explained that the Town Hall meeting was his idea, which he has been thinking about. He mentioned that this Saturday he will be participating in a poker tournament.

City Manager Borgmann stated that there would be time restrictions and constrictions for advertising the public meeting.

At the Mayor's request, the item was **tabled**.

10E) Recommendation for Approval of a Recycling Collection Program for the City's Public Properties in the Amount of Approximately \$2,120 for the Remainder of Fiscal Year 2011

City Manager Borgmann stated that several meetings ago a teacher at the Middle School came to Council to recommend a recycling collection program for the City's parks. After discussion with Public Works Staff, it was determined that the City has approximately 100 litter containers for general refuse and a recycling container could be placed next to each one of those containers.

In speaking with Miami-Dade County they quoted a maximum price of \$2.65 per month, per container, according to Mr. Borgmann. This would add up to \$3,180 on an annualized basis, or \$2,120 for the remainder of this fiscal year.

To answer Councilman Best's question, City Manager Borgmann clarified that this expense would cover recycling containers for all the parks, bike paths and all litter container locations. He added that there are minor logistical issues, such as securing the containers in a manner so that they could still be emptied.

Councilman Espino asked if the recycling containers would be the same as the litter containers or if it would be a smaller container that would be attached to the existing container.

City Manager Borgmann explained that it would be a separate container that is similar to the residential recycling containers.

Councilman Best would like to pursue the recycling program.

Councilman Espino said that he approves of the program, but there would be 100 additional containers throughout the City.

Vice Mayor Ator asked what the County is recommending. She asked if there is any other way to accommodate the recycling material.

Councilman Espino felt that the containers should be part of the City's streetscape design in regard to revitalization; he wants to get the job done, but it could be an eyesore.

City Manager Borgmann responded that the City could use the County's recycling program, utilizing their containers, at the price that was quoted, unless there is another option. He explained that this could entail utilizing another system for the collection.

Public Works Director Robert Williams said that the price quoted by the County is using their collection system. The City could explore other options with different recycling companies or even an in-house program.

Councilman Lob asked to consider if the City could collect the recycling material and take it to a central location where the County would pick it up.

Public Works Director Williams thought that it might be a problem, since there is no control over what is put in the bags and they could break.

Vice Mayor Ator asked to explore options with other companies.

City Manager Borgmann understood the concern about the containers in Downtown, but the collection by the county in their containers could work for the parks and the bike paths. There might be another option for Downtown.

Council **directed** the Administration to obtain additional information.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Beacon Council Meeting

City Manager Borgmann sent an e-mail to Council regarding a meeting on February 16th with the Beacon Council, although the time has not been set. He received a request from Councilman Espino saying that he would like to attend and the invitation is extended to the entire Council. If that happens, the meeting will have to be publicly noticed. The meeting will be held at the Beacon Council building and Calvin, Giordano & Associates and the Chamber of Commerce representative are invited to attend. The purpose of the meeting is to convey the focus for the future and to determine how the Beacon Council can fit in and help the City.

Councilman Espino mentioned that Carlos Leonard is a resident who used to sit on the Board for the Beacon Council.

City Manager Borgmann asked Council to notify him ahead of time if they would be attending so that the City Clerk could publish the appropriate public notice.

Vice Mayor Ator stated that she would like to attend if a pending appointment she has is cancelled.

City Attorney Seiden stated that the meeting would be advertised since two Council members indicated they would like to attend.

Daddy/Daughter Dinner

City Manager Borgmann said that anyone interested in attending the Daddy/Daughter Dinner should contact the Recreation Center.

Baseball Sign-ups

City Manager Borgmann announced that baseball registration is taking place at the Recreation Center.

Basketball Program

City Manager Borgmann said that it is good to see the basketball program is in full swing in the new gym with both courts being used.

Trash Pick-up

City Manager Borgmann reported that additional trash pick-ups would begin on South Royal Poinciana Boulevard on a trial basis before making a recommendation for a permanent implementation strategy. The Administration will come back in March with some ideas for the cost structure and changing the Code.

Chamber of Commerce Art Show

City Manager Borgmann stated that the Chamber Art Show was a nice event, as reported earlier.

Memorial Service

City Manager Borgmann thanked local law enforcement agencies and the City's Police Department for their participation in the memorial service and the procession to the funeral home for fallen Miami-Dade County Police Officers Roger Castillo and Amanda Haworth. Officer Haworth's father and step-mother are residents of Miami Springs and her son may come to live with them. The City will be reaching out to the family to be of any assistance.

12C) City Council

Memorial Service

Councilman Best did not have the opportunity to attend the memorial service, but was able to watch most of it on television. The news reported that the same thing happened in the City of St. Petersburg this morning and the day before in Detroit. Police Officers put their life on the line on a daily basis to defend their community; the same as soldiers who fight abroad. They deserve a token of appreciation that they do not readily receive. He thanked Chief of Police Baan for the City's participation.

"Glow Ball" Golf Tournament

Councilman Best reported that the Lions Club will be holding their annual "Glow Ball" tournament on Saturday, February 12th at 6:30 p.m. Registration is full, but they are still seeking sponsors. The event is followed by a spaghetti dinner at the Lions Club.

Memorial Service

Councilman Espino stated that he attended the memorial service and watched it on television and he could see that the families of the fallen officers appreciated the outpouring of support, even though there was no way they could be comforted. It was an experience that cannot be articulated and sometimes it is these horrible acts that bring the community together in solidarity. As average residents, appreciation for what the police officers do and vigilance is needed so that it does not continue to happen. He offered his appreciation and his prayers to the fallen officers.

Literacy Week

Councilman Espino kicked off the celebration of Literacy Week at Springview Elementary School by reading to the third and fourth graders who were exceptionally well behaved and excited about his Kindle.

Curtiss Mansion Restoration

Councilman Espino reported that construction had resumed on the Curtiss Mansion and work was being done on Saturday with the hope that it is finished by June 20th.

Optimist Club Barbeque

Councilman Espino stated that the Optimist Club Barbeque Blast was a phenomenal event and people are interested in participating next year. He commended Optimist Club President Tony Silva and Treasurer Robert Vico for spearheading the event.

Optimist Club Soccer Banquet

Councilman Espino reported that there was a great turnout at the Optimist Club Soccer Banquet.

Cancer Relay for Life

Councilman Espino announced that his wife will be coming to a future Council meeting to provide an update on the Cancer Relay for Life event taking place on Saturday, March 19th. There are a number of groups that will be holding a variety of fundraisers for the event.

Sidewalk Installation

Councilman Espino requested a report from the Administration on the request for the installation of a strip of sidewalk on North Royal Poinciana Boulevard in the area between Starling and Thrush.

City Manager Borgmann added that the location was identified as well as two other strips along that way.

Public Works Director Robert Williams indicated that he is already getting prices.

Complaints

Councilman Espino received complaints about the Barbeque Blast event not being posted on the community calendar. It was not on the drop down list and the actual list of events only posted city events. Council has talked about an active calendar and should decide what it should look like. The drop down menu is good and the calendar with city meetings should have all community events.

City Manager Borgmann said that there is a second calendar and it was posted on Channel 77 that links to the website.

Councilman Espino stated that the Chamber of Commerce through www.miamisprings.com has a community calendar of events, but he would like the city to have one also.

Miami Springs Historical Society

Vice Mayor Ator asked Councilman Espino if the Miami Springs Historical Society was going to meet with Curtiss Mansion, Inc. about some of the issues.

Councilman Espino said that CMI could not make a final decision because the Historical Society was not very well prepared and could not provide an inventory of what they had in storage; they only said that the storage was up in February and they did not know what to do with the items. The Mansion will not be in any condition to house anything by February, and without an accounting of the inventory they could not determine what will fit at the Mansion. There are three professionals on the CMI Board of Directors that are involved with museums and a professional museum is planned for the Curtiss Mansion. Where the elements of the Historical Society's objects belong is yet to be seen. CMI President Jo Ellen Phillips has agreed to form a committee to help determine a list of the inventory to see how it fits.

City Manager Borgmann received an e-mail from the Historical Society asking if the City would be able to provide storage for important items that CMI does not feel meet their current mission. A team of Historical Society members, CMI members and City employees could evaluate contents for what should be kept and where.

Councilman Espino said that it is up to the Historical Society to perform due diligence in order to know the worth of the inventory going forward.

South Royal Poinciana Trash

Vice Mayor Ator thanked the Administration for addressing the South Royal Poinciana trash issue.

Rotary Club Poker Tournament

Vice Mayor Ator mentioned that the Rotary Club is sponsoring its annual Poker Tournament.

All Angels Movie Night

Vice Mayor Ator announced that Movie Night was rescheduled to Friday, January 29th due to the weather and will be showing “Karate Kid” and “Despicable Me”.

All Angels Silver Ball

Vice Mayor Ator reported that All Angels Academy is holding their annual Silver Ball on Saturday, February 26th, and everyone is invited.

Condolences

Councilman Lob offered his condolences to the families of the fallen police officers and extended his gratitude to those who wear the uniform day in and day out.

Optimist Club Barbeque

Councilman Lob stated that the barbeque on Saturday was unbelievably successful and it was so good that most of the tents ran out of food.

Optimist Club Soccer Banquet

Councilman Lob reported that the soccer banquet was a great event with many kids as there were more teams playing this year. He thanked all the people who coach and donate their time.

Chamber of Commerce Art Show

Councilman Lob said that the Art Show was a nice event with a lot of local artists participating. He hopes that the event grows and is held again.

Council Meeting

Mayor Bain recommended moving the next Council meeting to Tuesday, February 15th.

Vice Mayor Ator explained that she could not attend as she had a previously scheduled meeting on February 15th.

Council decided not to reschedule the meeting and it will be held on February 14th. The City Manager agreed to keep the agenda short.

Road Repaving

Mayor Bain said that he received an e-mail about the roadways around Woody's Tavern needing repaving. There is a big pothole in front of the 7-11 convenience store.

City Manager Borgmann explained that the roads were being repaved utilizing the Citizen's Independent Transportation Trust (CITT) Fund.

Tree Removal

Mayor Bain asked if the tree had been removed from the vacant lot in the 1200 block of Nightingale Avenue, as he requested at the last meeting.

City Manager Borgmann said that the tree had not yet been removed, but that it will be removed.

Memorial Plaque

Mayor Bain proposed a memorial plaque for the late Tony Bray at the handicap walkway in front of the Miami Springs Pharmacy, since it was his recommendation to build the ramp. He said that Tony recently passed and one of his last requests was to ride by the handicap ramp to take a look at it. Tony once told him that he never thought about people with disabilities until he was in a wheelchair.

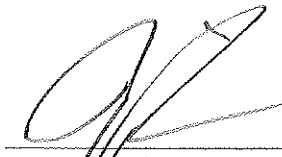
City Attorney Seiden suggested that the City Manager scope out the recommendation and place the request on the next agenda.

Baseball Program

Mayor Bain urged residents to support the City's baseball program since they are losing players to Grapeland Park. The League President asked him to make the announcement in hopes that the kids will play ball in Miami Springs.

13. Adjourn.

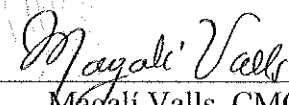
There being no further business to be discussed the meeting was adjourned at 9:47 p.m.



Billy Bain
Mayor



ATTEST:



Magali Valls, CMC
City Clerk

Approved as written during meeting of: 2/14/2011.

Transcription assistance provided by Suzanne S. Hitaffer.